

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MARKUS KLINKO,

Case No. 07 CV 11362 (VM)(HP)

Plaintiff,

-against-

MICHAEL BALL a/k/a MICHAEL F. BALL,

Defendant.

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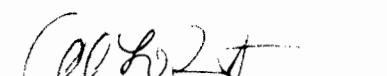
**NOTICE OF DISMISSAL WITHOUT PREJUDICE**

Please take notice that plaintiff MARKUS KLINKO hereby voluntarily dismisses his claims in this action, without prejudice, pursuant to Rule 41(a)(1)(i) of the Federal Rules of Civil Procedure, without costs to either side.

Dated: New York, New York  
January 25, 2008

MELTZER LoPRESTI, LLP

By:

  
Anthony A. LoPresti

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MARKUS KLINKO,

Case No. 07 CV 11362 (VM)(HP)

Plaintiff,

**AFFIRMATION OF SERVICE**

-against-

MICHAEL BALL a/k/a MICHAEL F. BALL,

Defendant.

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ANTHONY A. LoPRESTI, an attorney duly admitted in the State of New York, hereby affirms the following upon penalty of perjury:

On January 25, 2008, I served a true copy of plaintiff's **NOTICE OF DISMISSAL WITHOUT PREJUDICE** in this matter, upon defendant MICHAEL BALL a/k/a MICHAEL F. BALL in the following manner: by mailing the same by first class mail, in a sealed envelope, with postage prepaid thereon, in a post-office or official depository of the U.S. Postal Service within the State of New York, to the addresses indicated below:

Steptoe & Johnson, LLP  
Michael C. Miller, Esq.  
750 Seventh Avenue, Suite 1900  
New York, N.Y. 10019

Dated: New York, New York  
January 25, 2008

  
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ANTHONY A. LoPRESTI